

R E M A R K S

Claims 1-31 are pending in the application. Claims 1-27 are withdrawn. Claims 29-30 are allowed and claims 28 and 31 are rejected.

Claims 28 and 31 have been amended to clarify the claimed invention. No new matter has been entered.

According to claim 28 the transmitting power of a downstream communication channel to a mobile station is gradually updated, said transmitting power updated from an initial value to a greater value during a hand-off process. The updating occurs before transmitting power control is executed in accordance with a signal received from the mobile station.

Claim 28 is rejected under 35 U.S.C. § 102(e) Hamabe (U.S. 6,405,021).

Hamabe describes that “the base station compares the reception quality of the signal transmitted from the mobile station.” The base station controls the transmission power based on the received signal from the mobile station. (ABSTRACT, Figs 3, 6, 12A, 12B, and 13-15).

In contrast to Hamabe claim 28 recites a control that increases transmitting power before the transmitting power control is executed in accordance with the signal received from the mobile station.

It is respectfully submitted the claimed invention is different from the cited reference.

Applicant’s claim 31 recites executing transmitting power control of downstream communication information to be transmitted to a mobile station in accordance with a signal received from said mobile station and receiving a state notice message representing the state of a signal received by a local station, and a periphery base station from said mobile station.

Therefore according to present claimed invention a state notice message from the mobile station is received at the radio base station. The message represents the state of a signal received by a local station and a periphery base station from the mobile station.

Claim 31 is rejected under 35 U.S.C. § 102(e) as anticipated by Sendonaris et al. (U.S. 6,085,106) (Sendonaris).

It is respectfully submitted that Sendonaris does not teach a message received from the mobile station which represents the state of a signal received by a local station from the mobile station.

Sendonaris describes receiving a multi-path signal from a mobile on the reverse link. The base station finds the paths with there respective strengths (col. 6:65-col. 7:5).

This is different from the claimed invention since the multi-path signal is not a message from the mobile station which includes any information concerning the state of a signal received by a local station from the mobile station.

Applicant's claimed invention monitors, at the mobile station, the state of the signals received by the local station and the periphery base station, and the radio base station receives the result as a message. Therefore, the radio base stations themselves do not have to determine which radio base station is in the vicinity of the mobile station, on monitoring the state of reception.

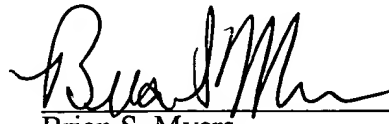
In contrast since the radio base stations in Sendonaris do not receive such messages, the radio base stations in Sendonaris must determine which radio base station is in the vicinity of the mobile station, on monitoring the state of reception.

Because Sendonaris does not teach each and every feature of applicant's claim 31 it is respectfully requested the rejection be withdrawn.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



Brian S. Myers
Reg. No. 46,947

CUSTOMER NUMBER 026304
Telephone: (212) 940-8703
Fax: (212) 940-8986 or 8987
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